Rev(IT)
Rt 15/2/57

1948

File No. S 176 II

R.H.& B.C DEPARTMENT

Karnatak

A, BRANCH

B Class

889
H./prin 57.

Subject:—

Amendments, application,
Cancellation etc.—
under—.

Hsm

D-3

39
E

Karnatak

File No. S 176 II

G. R., G. D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET

Subject :—

File No._____

_____ DEPT.

_____ BRANCH.

References :—

Date.	To whom sent.	Notes and instructions.

The Hirekerur correspondent of the Tarun Karnatak writes:- It is a matter of common knowledge that 22 youths of Kaduvali, taluka Hirekerur, District Dharwar were sentenced to imprisonment in 1943 for having set fire to a bungalow at Rattihalli. After they were released on the expiry of their term of imprisonment, three of them i.e. (1) Mr. Basappa Fakirappa Tavargi, (2) Mr. Fakirappa Hanmappa Chowdappanavar and (3) Fakirappa alias Mukappa have been kept on parole. These have never in the past been guilty of any criminal offence. They have been kept on parole only because they are Talvars by caste. They broke their parole publicly and informed the public leaders as well as the Government accordingly. In spite of all this, they are to be prosecuted before the Magistrate of Ranebennur for breaking the parole. An appeal in this regard submitted to Mr. Morarji Desai has proved of no avail. It is strange that the Congress workers have to suffer hardships even when the Congress is in power.

Forwarded with compliments to:-

1. The Dist. Magt., Dharwar;
2. The Secy. to Govt., H.D., Bombay;
3. The Secy. to H.E. the Governor, Bombay;
4. The Director of Information, Bombay;

for information.

SEP 1946

Oriental Translator to Government

In the article published in the Tarun Bharat, a Hirekerur correspondent complains that 3 Talwar youths who were convicted in an offence committed during the 1942-45 movement, have been registered as C.T. members after their release. He adds that though a representation was made to H.M. in the matter, ~~no notice has been taken of the same~~ it has proved of no avail.

2. No such petition seems to have been received in the Office from the youths mentioned in the article.

Attention, however, is invited to our letter to the D.M. Dharwar, No. 97/5/12950; F, dated the 16-9-46, in which he was asked to cancel the registration of persons convicted of offences committed during the political movement of 1942-45. In view of this, it is presumed that the D.M. Dharwar will take the necessary action to cancel the registration of these 3 youths belonging to Talwar tribe. ~~No further action is necessary in this matter may be filed~~ We may call for a report from the D.M. Dharwar.

(Miss F.B.) SDM., Dharwar.

2.10.46

9/10/46

9/10/46

11.10

Secy.

~~He is Tribes~~
He "Talwars" (Berads) have been declared to be a criminal tribe under sec 3 of the C.T. act.

who belong to the ~~tribes~~ Berad Tribe & who were

~~Below a copy of a translation of an article by the Hirekerur correspondent of the 'Tarun Karnatak' published in the issue of the~~ issue of 20-9-46.

(Below a translation of an article published in the "Tarun Karnatak" of the 20-9-46) ~~a copy of which was enclosed to you the D.M. Dharwar on 24-9-46~~

No. S.18/26065-F.
Home Dept.
Bo. 16th Oct., 1946

Forwarded with compliments to the D.M., Dharwar, for report.

A copy of the translation was sent ~~by the C.I.~~ to the D.M. by the C.I. on 24-9-46.

for Under Secy. to the Govt. of Bombay.
Home Dept.

ISSUED
16 OCT. 1946

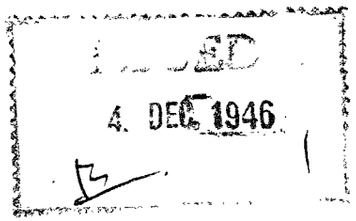
16/10/46
12/10/46
15/10/46.
16/10

- PC. reminder sent up.

4-12-46

4/12/46

Copy sent for DS



No.MAG.SR.986 Letter. Via Dharwar, 18/12/1946.

To

The Under Secretary to Government,
Home Department, Bombay.

S.18/26065-F
24-12-46
38120

Ref: Your letters No.S.18/26065-F of 16/10/46 and X/11465 of 29/11/45.

The three registered C.T.members in question were involved in the commission of sabotage offences. They were convicted by the Special Judge, Dharwar on 15/4/46 under rule 35(4) D.I.Rules read with 147, 436, 149 I.P.C. and each sentenced to 3 years' R.I. After their release, they were registered under the C.T. Act as the offences committed by them were cognisable and non-bailable ones, and put on daily hazari from 4/4/46. They continued to give the roll-call up to 6/5/46 after which they refused to do it on the ground that they were convicted of offences in connection with the C.D.movement. They have been prosecuted under the C.T.Act before the Hon.Magistrate, F.C. Ranebennur for their failure to give roll and the case has been completely heard and judgment is to be passed.

No other previous conviction except the one mentioned above and no criminal activities in respect of the accused have been noticed so far.

BB.

District Magistrate, Dharwar.

b

Home Department.

Submitted with ref. to o.n. dated 9-10-1946.

2. The D.M., Dharwar reports that the three C.T. members in question were involved in the commission of sabotage offences and were convicted and sentenced to three years' R.I. by the Spl. Judge, Dharwar. They have no other previous convictions. It appears that the offences committed by the three C.T. members were in connection with the C.D. movement and if so, the D.M., Dharwar, should have cancelled the registration of these members under the C.T. Act, in accordance with the orders in G.L.,H.D., No. 57/5/12950, dated the 16-9-46.

(Thro' S.B.).

30/12/46
Dy Secy.

30/12/46

Did they serve their full term of imprisonment. If so it will appear their Names are not entered as Political (1946) crime

31/12

Letter

To

The D.M., Dharwar.

Subject: Criminal Tribes Act

Cancellation of registration under the — of three members of belonging to the Talwar Tribe.

No. S.18/26065-c Dated 24th Jan '47)

Pl. refer to

Reference your letter No. MAG.SR.986, dated the 18th Dec. 1946, and report to Govt. whether the three C.T. members in question served their full terms of imprisonment. ~~at the time of their release~~ you are also requested to furnish your remarks on the point whether the offences committed by the

three members were regarded for the purpose of granting release to be connected with the C.D. movement of 1942-45.

OC

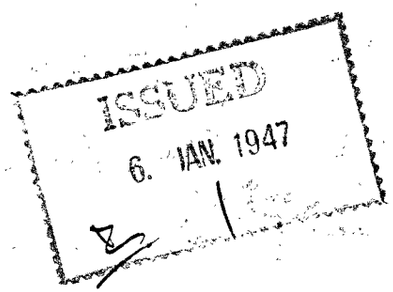
Dy. Secy to Mr. J.J.S.

H.D.

2/1/47

2/1/47

Dy. Secy.



6/1/47.

HOME DEPARTMENT
File No. 0 (43/3.)
8-1-47
Serial No. 813

Orders were passed about the people. Are they not yet carried out? D.M. for report within a week. Sec. HD. J.

8/1

Below letter dated 20-12-46.

From:- Karigouda of Kudapali, tal. Hirekerur Distt. Dharwar.

Mr. Karigouda states that 3 persons namely (1) Basappa Fakirappa Tavangi (2) Fakirappa Hanamappa Chandakkanavar (3) Fakirappa alias Muka Basappa Talwar were convicted for taking part in 1942 movement. At the time of their release notice of some sections of Criminal Tribes Act was served requiring them to be present themselves before the Patil everyday.etc They were not observed and cases are being tried before Hon. Magistrate, Ranebennur.

The writer says that all papers concerning their case were to be sent to H.M. Home two months ago through Mr. T.R.Nesvi and Mr. V.V.Patil, M.L.As. No action seems to have been taken on them

PTO

and requests that the case be withdrawn and the default to obey the said order condoned and notice served on them also to be withdrawn.

I personally know the said persons in jail. It is not proper to serve notice of C.T.Act on such persons. It should be withdrawn early.

7/1/47.
P.S.R.D.

H.M.R.D.

LETTER

49

From

G.G. Drewe, Esquire, O.B.E., I.C.S.,
Secretary to the Government of Bombay,
Home Department.

To

The District Magistrate, Dharwar.

Subject:- Released Prisoners (Political).

Mr. Yellappa Somappa Talwar.
Cancellation of Registration of -- under the Criminal Tribes Act.

No.57/5/12950-F. Dated the 16th September 1946.

Reference correspondence ending with your letter No.M.A.G.S.R. /830, dated the 8th August 1946. Government has decided that the registration under the Criminal Tribes Act in the case of persons registered on account of convictions for political offences during the movement of 1942-1945 should be cancelled.

2. The registration under the Criminal Tribes Act of Mr. Yellappa Somappa Talwar of Yevagal should therefore be cancelled.

G.G. Drewe,

Secretary to the Government of Bombay,
Home Department.

No.

No.57/5/12950-F.
Home Department.
Bombay Castle, 16th September 1946.

Copies forwarded with compliments for information and guidance to :-

The District Magistrate, Sholapur,
-do- Bijapur,
-do- Belgaum.

G.G. Drewe,
Secretary to the Government of Bombay,
Home Department.

--

No.57/5/12950-F.
Home Department.
Bombay Castle, 16th September 1946.

Copies forwarded with compliments for information to:-

The Inspector General of Police, Province of Bombay,
The Deputy Inspector General of Police, Criminal Investigation Department,
The District Superintendent of Police, Sholapur,
The District Superintendent of Police, Bijapur,
The District Superintendent of Police, Belgaum.

G.G. Drewe,
Secretary to the Government of Bombay,
Home Department.

Home Department.

61

Orders have issued in our letter to the D.M., Dharwar, No.57/5/12950, dated the 16th Septr. 1946, that the registration under the C.T.Act in the case of persons registered on account of convictions for political offences during the movement of 1942-45 should be cancelled. Presumably, H.M. refers to these orders. Under G.E., H.D., No.S.18/26065, dated 16-10-46, a translation of an article published in the "Tarun Bharat", regarding the hazree under the Criminal Tribes Act imposed on the three persons in question belonging to the Talwar tribe, was forwarded to the D.M., Dharwar for report. The D.M., Dharwar's report will be found at p. 5 ante. The report is not clear on the point whether the offences for which the three persons were convicted were in connection with the c.d. movement of 1942-45. A further reference has been made to the D.M., Dharwar, on the 4th inst..

The letter from Mr.Karigouda may be forwarded to the D.M., Dharwar, and he may be asked to state specifically whether the case of the three Talwars mentioned in the letter is covered by the orders contained in the Government letter of 16-9-46.. & if so what action has been taken to comply

Draft put up.

9/1/47

9/1/47

D.S. 9/1

Letter.

To

The D.M., Dharwar.

Subject:- Criminal Tribes Act.
Cancellation of registration
under the ----- of three members
belonging to the Talwar tribe.

No.S.18/26065-C. Dated the 10th January 1947.

Refce, correspondence ending with my letter No.S.18/26065, dated the 4th Jan.47. I am to forward herewith a letter dated 20-12-46, from Mr.Karigouda of Kudapali, Taluka Hirekerur, Dist. Dharwar, and to request you to report to Govt. within a week along with your reply to the letter mentioned above, whether the case of the three Talwars in question is covered by the orders contained in G.L., H.D., No.57/5/12950-F., dated the 16-9-46.

Dy.Secy. to the G. of B.,
Home Deptt..

Postcard attached to P.9

ISSUED
10 JAN 1947

M.D.

The accompanying p.c. reminder may issue.

28/1/47

Supply for Ad

RECEIVED
28. JAN. 1947
K 1

Mr Atchison
10/1
10/50

Present 28/1/47 + trust remind if a reply is not received.
13/1

Present 28/1/47

Present 8/2/47
28/1/47

Issue
Reject

55

H.M. desires that papers regarding the prosecutions which are pending before the Hony. Magistrate of Ranibennur against 3 persons of Kudapalli, Taluka Hirekerur, District Dharwar, for breach of Hazri orders, should please be put up to him as soon as possible.

11/2

HOME DEPARTMENT
File No. X
12-2-47
Serial No. 1319

J.

H.D.

Letter

To

The D.M., Dharwar.

Subject: Criminal Tribes Act

Cancellation of registration
under the —— of three members
belonging to the Talwar tribe

No. S.18/26065-C Dated 13th Feb. '47

Pl. refer to this dept. letter No.
S.18/21065-C, dated the 10th Jan. (94), and
expedite your reply thereto. I am
also to request you to forward
to Govt. urgently the pp. regarding
the prosecutions which it is understood

are pending before the Hony. Magistrate
of Rennebennur against the three
Talwars in question, for breach of
orders re: hazri under the Cr. Tr. Act.

ISSUED
13. FEB. 1947

From

Shri T.R.Neswi, M.L.A.,
Radha Nivas, Deshpande Nagar,
H u b l i.

H u b l i,
17th Feb. 1947.

HOME DEPARTMENT
File No. S-18/26065
26-2-47
7117

To

Shri Murarji Desai,
Minister for Home Department,
Government of Bombay.
B o m b a y.

Dear Murarjibhai Desai,

I am sorry to know that the cases, launched under C.T.Act for having burnt Rattihalli Traveller's Bunglow in Hirekerur, Taluka/Dist. Dharwar, against 1. Fakirappa Basappa Talwar, 2. Fakirappa Hanumappa Chowdakkalava 3. Basappa Fakirappa Tawarigi and 4. Hanumantappa Govindappa Dodda-Dyavannavar of Kudapali Taluka Hirekerur were not withdrawn by you, though I was given to understand a few days back that they were already ordered to be withdrawn. The cases were in the Honorary Magistrate's Court, Ranibennur, District Dharwar and the first two persons were fined Rs.50/- on 12-2-47 each. The judgment of the remaining two cases are said to have been fixed on the 27th instant. These persons did participate in the last 1942 C.D.movement and they were convicted for having burnt the above said bunglow. They have done it on a political ground. Being members of a community which comes in the category of Criminal Tribes, they were asked to report themselves to village Police Patil. They did not do so thinking that it was humiliation and that it affected their self respect. They had expressed all their minds in their applications submitted to you. But I am sorry to learn that their requests have met disappointment.

I feel also much worried to know that there is no respect to political workers and to the opinions of responsible persons who can judge matters with a balanced mind even and that too at the hands of the popular Government and even though reminders were sent repeatedly. Even the papers have not been called as is replied by you. If such is going to be the state of affairs, I am sure, the prestige of the honest workers will suffer and we will lose them altogether.

Contd.....

I hope you will please try to refund the fines and thus do justice to the persons who did not defy the order with any wrong intention but to keep up their self respect.

Yours sincerely,

J R Neswi

No. S.18/26065-C
H-D-
B.C. J(A Feb-47)

To

T.R. Neswi Esq. M.C.A.
Radhika Nivas, Deshpande Nagar
Hubli

Sir,

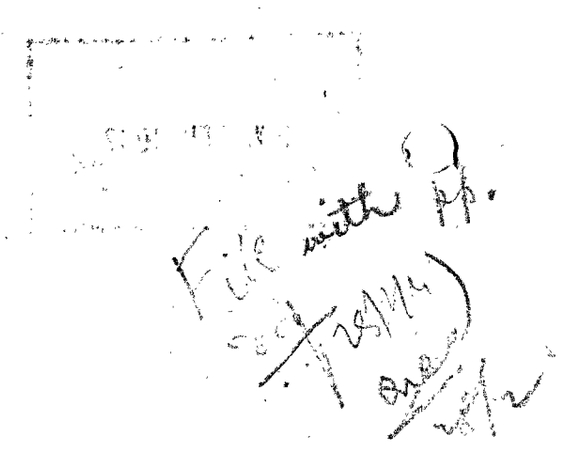
I am directed to acknowledge the receipt of your letter dated the 17th Feb. 1947, addressed to the Minister for Home Deptt. (and Revenue), in regard to the prosecutions against three persons of Kudapalli, Taluka Karekeppur, Dist. Dharwar, for offence under the Criminal Tribes Act.

I am, Sir,
Your obedient servant,

OC
27/2/47.
For Deputy to the Secy to GoB
H.D.

ISSUED
27. FEB. 1947

27/2
Asst (Civil)



Home Dept.

× p. 13 ante. · Pl. see ×D.M. dated 9-1-4) underlying our
∝ p. 15 ante. letter to the D.M., Dharwar, dated 10-1-4)
p. 19 ante, and also our letter dated the 13th Feb. '4),

2. The D.M. has been asked to forward pp. regarding the prosecutions which are pending before the Hony. Magistrate of Ranebennur against the persons mentioned in this letter from Mr. T. R. Nesvi, M.L.A.

@ expedite / expiring

The pp. have not yet been received from the D.M. He is being expedited.

26/1/47

26/1/47 Secy.

Rough draft

Mr. T-R. Nedumaran, M.L.A. called on Levy today in connection with the prosecutions against three members of the Talwar tribe. As directed by Levy, the accompanying telegram may issue.

Hd 1/3/47

Dec
1/3/47

A.S. (with f.c.) D.D.
1/3/47.

Draft 4-3-47
Hd 04/3/47

X press.

TELEGRAM (STATE)

To

~~The~~ D.M., Dharwar

67

Reference this Dept. letter

No. S.18/26065 dated 13-2-47 stop.

Pl. forward to Govt. immediately pp. regarding three members of Talwar tribe called for therein.

ISSUED
1 MAR 1947
2

22
1/31/47.

Zuri gambi

1/31/47
1/3

Ed
1/3

or

For Secy to the Govt. of B.D.

HOME DEPARTMENT
FILE No. 4(4897)
1-3-47
Serial No. 7758

C

Below. Telegram dated 27-2-47

From :- 4 Congress workers of Kudapali, Tal: Hirekerur. Dist Dhar

The 4 persons were convicted in 1942. At the time of their release Notices were served on them to present themselves every day before the Police Pat (Havzari).

The persons concerned could not obey the orders and were prosecuted in the Courts of Hon. Magistrates of Ranebennur Dist Dharwar. Two of them are already convicted. 18 hours is said. The decision in the case of the other two is adjourned to the 10th of this month.

Representations to the Govt for the withdrawal of the cases have been made already. No orders have been passed.

1/3 Jour P.S.

The cases should be stayed immediately & report should be called for & action taken as possible

(Sd) M.K. 1/3

C.-3.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

No.

Received here at ____ H. ____ M.

O & M Ramchandran
K J Patil Parliamentary
Secy Home and Revenue
Secretariat Bombay
Adjournment granted on Wednesday
Cases Tom along to Secy
arrange withdrawal in time
Parties

Sharma

The sequence of entries at the beginning of this telegram is—class of telegram, time handed in, serial number (in the case of foreign telegrams only), office of origin, date, service instructions (if any) and number of words.

This form must accompany any enquiry respecting this telegram.

SIGIPDAh—

Have case been withdrawn

B T. B.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT. No. 13

HOME DEPARTMENT

Rec'd. at ____ H. ____ M.	File No. S. 18	Sent at ____ H. ____ M.	Office Stamp.	
From ____	4-3-47	To ____		
By ____	Serial No. 7965	By ____	693	

O QC Dharwar 3 dt 30

Zusigambi Bombay

reference your wire dated 1st instant stop submission of papers regarding three members of Talwar tribe being expedited stop criterion report sent on 1st instant

= Dichali

S.I.P.—5642—11-46—60,000 Rms

Home dept.

The accompanying telegram to the D.M., Dharwar may issue. TS

4/3/47

4/3/47

A.S. 4/3/47.

~~X~~ press

TELEGRAM (STATE) 3)

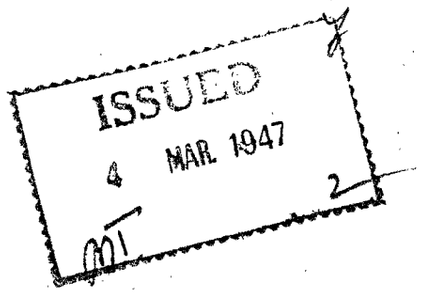
To

77

D. M., Dharwar

Reference your telegram dated 3rd instant stop Pl. stay prosecution until further orders against three members of Talwar tribes cases not yet decided.

2 insurgents



OC

4/3/47.

For Secy to the G. of B

H.D.

4/3/47

4/3/47

Subject:Criminal Tribes Act. Cancellation of registration under the - of 3 members belonging to the Talwar Tribe.

...

No.MAC.SR.986 Letter. Dharwar, 1/3/1947

To

The Deputy Secretary to Government,
Home Department, Bombay.

S.18/26065
6-3-47
8350

Ref:Your reminder No.S.18/26065 of 26/2/1947.

The papers of the case are called for from the Hon. Magistrate,F.C.Ranebennur as directed under your No. S.18/26065 and my report will be sent along with them soon after their receipt.

H.G. Enjeendrapur
2/3

BB. Addl.Dist.Magistrate,Dharwar

DEPARTMENT

3-47/6560

8/3/47

F.

61/47

Copy of wire sent to the Secretary to Government, Home Department Bombay on 3/3/1947.

.....

Reference your wire dated 1st instant stop submission of papers regarding three members of Talwar tribe being expedited stop Interim report sent on 1st March

....

Distrate

.....

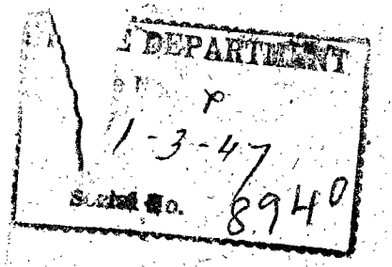
No.MAG.SR986 Dharwar, 3/3/1947

Copy f.w.cs to the Secretary to Government of Bombay Home Department Bombay in confirmation of the wire

BB.

Addl.Dist.Magistrate, Dharwar.

C



J.

Subject: Criminal Tribes Act. Cancellation of registration under the - of 3 members belonging to the Talwa Tribe.

63

....

No.MAG.SR.986 Letter. Dharwar, 5/3/1947.

To

The Deputy Secretary to Government
Home Department, Bombay.

Ref: Your wire dated 4/3/1947.

A wire has been sent to the Honorary Magistrate, F.C.Ranebennu this day, for staying the proceedings and submission of the papers immediately.

BB.

Addl.Dist.Magistrate, Dharwar.

H.D.

Pl. see the D.M.'s Dharwar's letter overleaf. The pp. called for from the D.M. have not yet been received. The receipt of the pp. may be awaited till 22-3-47

(17/3/47)

17/3/47.

D.S. 17/3

'Subject: Criminal Tribes Act. Cancellation of registration under the - of three C.T.Members belonging to the Talwar tribe.

No.MAC.SR.986 Letter. Camp Hubli, 13/3/1947

To

The Deputy Secretary to Government,
Home Department, Bombay.

Ref: Your No.S.18/36065-C of 3/1/1947, 10/1/47 & 13/2/47

HOME DEPARTMENT
File No. S.18/26066
18-3-47
Serial No. 1005-C

The three C.T.members in this case have served their full terms of imprisonment and they were registered under the C.T.Act after their release. The question as to whether the offences committed by them were regarded for the purpose of premature release to be connected with the C.D.Movement, therefore, does not arise.

Government have in their letter No.57/5/12950-F of 16/9/1946 decided to cancel registration of persons under the C.T.Act in case of persons registered on account of political offences during the movement of 1942/45. But the present case was launched against the accused for breach of the conditions before these orders were issued. The orders could, therefore, have no effect on the present case.

The papers of the cases are sent herewith. The cases against accused Fakira Hanmappa Chavadaldanavar of Kudapli and Muka @ Fakirappa X have been disposed of on 11/2/1947 and each sentenced to a fine of Rs.50/- only. The other case against Basappa Fakirappa Tawargi is still pending.

District Magistrate, Dharwar.

Submitted with ref.to our telegrams to t
D.M.,Dharwar,dated 1st and 4th March 1947.

2. The D.M.,Dharwar, has now forwarded the re:prosecutions against the three members of t Talwar tribe for committing an offence under s 22(2) of the C.T.Tr.Act(failure to report presence as required under rule 16 of the C.T. Rules). Two of them have been sentenced to a f of Rs.50/-each and the case against the third still pending. The D.M.has issued instructions the Hon.Magistrate,Ranebennur,to stay proceedi in the third case.

3. As these persons were registered under C.T.Act on account of a political offence,na burning of the Rattihalli bungalow, committed connection with the c.d.movement of 1942,th registration ought to have been cancelled in accordance with the orders contained in G.L.H. No. 57/5/12950-F,dt.16/9/46. The D.M.may asked to cancel the registration of the three persons.

4.The cases against the two persons who were convicted were decided on the 11/2/47,that is, after issue of the instructions contained in Gov letter No.57/5/12950-F,dt.16/9/46. As the D.M.ha been informed that the registration of persons in consequence of offences committed by them in connection with the c.d.movement of 1942 shou cancelled,he should,of his own accord,have wit drawn the prosecutions against these three persons as they were being tried for technical offences arising from the registration. As prosecution in one case is still pending,t may be ordered to withdraw it. The remaini cases,as stated above, have been decided a persons concerned sentenced to pay a fine each. The fines have been paid by them. T

has held that fines which have already been recovered cannot be refunded by the Executive Govt, but that the refund can be authorised only by the Legislative Assembly. Govt. has decided not to take any steps for the refund of fines in such cases. In view of this, the two cases which have already been decided may be regarded as closed.

20/3/47

20/3/47

D.S. 20/3

The fines ought to be refunded. The pending case should be withdrawn.

H.M.

21/3

Resubmitted.

2. The R.L.A. and the Advocate General have held that a fine which is recovered becomes part of the Provl. revenues and that no refund or expenditure therefrom is legal unless it is duly authorised by the Legislative Assembly- vide opinions of these officers at pp.3-7 of File 804/5. If, therefore, these fines are to be refunded, steps will have to be taken to get the Legislative Assembly to authorise their refund or in other words, to authorise expenditure from the Provl. revenues equal to the amount of the fines. H.M. stated in a note recorded by him on the 16/8/46 at page 18 of File 804/5 that it had been decided that fines which had already been recovered should not be refunded. In view of this, it is not quite clear whether H.M. wishes this matter to be brought before the Assembly. If so, it seems that the fines recovered from other persons as a result of regular trials for offences committed in connection with the c.d. movement of 1942 will also have to be refunded.

A

As regards withdrawal of the pending case, a letter to the D.M., Dharwar, is put up.

F.D. to

L E T T E R.

69

To

The D.M., Dharwar.

Sub:- Criminal Tribes Act.
Cancellation of registration under the---of three members belonging to the Talwar tribe.

No.S-18/26065-C. Dated the 15th March 1947.

Ref.correspondence ending with your letter No.MAGSR-986,dt.13/3/47. Govt.has decided that the case pending against Mr.Basappa Fakirappa Tawargi for an offence under the Cr.Tr.Act,in the court of the Hony.Magistrate,F.C., Ranebennur,should be withdrawn . I am therefore to request you to take immediate steps to this end.

for

Deputy Secy.to the Govt.of Bombay,
Home Deptt.

ISSUED
15. APR. 1947
MH

27/3/47

27/3 Edt 15/4

This is a case.

I mentioned Salt

17/4

for F.D (with p/o.)

Please examine very urgently "A" on p. 45

Re
15/4

F.D.

Fin. Deptt. (S)

Pl. see para 2 of the H.S.'s d.o. letter No. H.A./140 dated 23.2.38 and the Secy's (Mr. Dongar) note thereon. It will be seen therefrom that the refunds, which are being made on account of change of policy of Govt., are to be brought to the notice of the L.A. by means of a Supple. demand. The item at A on p. 48 is therefore correct. Similar refunds sanctioned in 1946-47 have been included in the Supple. demand presented to the L.A. in the March 1947 session.

S.M.
16.4.47

The procedure is clear:—

(i) The refunding of these fines is in effect "new expenditure" and requires the sanction of the legislature.

(ii) Such sanction can be obtained by means of a supplementary demand.

(iii) It is open to Govt. to anticipate the sanction, if they consider the matter sufficiently important and urgent. Some similar items were so anticipated at the Poona session

F.D. says the return of the fines will be new expenditure + shows how provision can be made if necessary the refund can be made in anticipation. The amounts involved are comparatively minor amounts & they are such as can be refunded in anticipation of sanction if thought fit.

I think this would be the most appropriate way of restoring the fines. The vote of the legislature then can be taken subsequently.

17/X

F.D. says the return of the fines will be new expenditure and shows how provision can be made or if necessary the refund can be made in anticipation. The amount involved are comparatibely minor amounts and they are such as can be refunded in anticipation of sanction if thought fit.

I think this would be the most appropriate way of restoring the fines. The vote of the legislature then can be taken subsequently.)

The fines should be refunded

The accompanying draft 53.
may issue after u.o.r. to. 93
F.D.

21/4/47

21/4/47

FINANCE DEPARTMENT
File No. G
Date 21/4/47
Serial No.

U.S. Nil.

U.O. to F.D. dated 22-4-47.
(with case pp.)

Finance Department (G).

Submitted with referenc e to the o.n. dated 16-4-47 and the Secy's note following it.

2. The refunds in question are to be booked under "Refunds" and taken in the reduction of receipts under the revenue head concerned

but in the demand statement they are to be shown under a separate sub-head against the grant under which it is voted. These refunds will thus be accounted for under "Receipt" head concerned for accounting purposes. But for purpose of Appropriation Accounts The amount of refunds in question will have to be met from the supple-demand in question and not from the same under the expenditure head 27-Admn. of Justice. The H.D. may be advised to amend ~~the orders~~ suitably ~~in~~ para. 2 of the draft orders.

S.N.D.
28.4.47

28/4

HOME DEPARTMENT
File No. S. 18/260/47
30.4.47
Serial No. 4214

Sent to the H.D. & 28.4.47

Home dept. ✓

Submitted w.r. to o.u. ✓

dated 21.4.47.

2. In view of the foregoing F.D. note, the following may be substituted ~~for~~ ~~in place of~~ para. 2 in the draft and the draft at p. 57 post may come:

"The amount of refunds in question will be met from the supplementary demands that will be placed before the Legislative Assembly in

due course

10/5/47

10/5/47

U.S. 12/5

Letter

To

The D.M., Dharwar. 97

Subject: Cr. Tr. Act.

Cancellation of registration under the — of three members belonging to the Talwar tribe.

No. S.187 26065-c. Dated 12th ~~April~~ May 194)

In continuation of this Deptt. letter No. S.187 26065-c, dated the 15th April 194), I am to state that Govt. has decided that the ~~the amount of Rs 50/- recorded~~ remitted as fines from ~~each of~~ Messrs. Fakira Hanmappa Chavadakkanavar and Metka @ Fakirappa, who were convicted by the Hony.

p.49

Magistrate, Ranchi, should
be refunded to them I
therefore
am to request you to take
steps to repay the sum of Rs 50/- received
from each of
the two persons. (for para 2 pl. type x-x on pp. 55-56)

2. The expr. should be debited to
"2)- Admn. of Justice - V. Criminal Courts - contingencies".
A source to meet the expr. will be pointed
out later in due course: letter No. MA 6 SR. 586, dated
3. The pp. received with your letter
13. 3. 47), are returned herewith.

M/15
u.s. to the S. of B.
H.D.

No. etc.

Copies forwd. to :—
* The A.G., Bihar (thro F.D.),
* The F.D.

ISSUED with Bus.
14 MAY 1947
3
MM
Secret - No. (with
Secret O.C.)

O.C.
M/15
Ed. 21/4/47 13/5/47
u.s. to the S. of B.
H.D.
* (with w.o. stamp).

99

L E T T E R.

From

A.S. Bam, Esquire, I.C.S.,
Under Secretary to the Government of Bombay,
Home Department.

To

The District Magistrate, Dharwar.

Subject. - Criminal Tribes Act.
Cancellation of registration under the - - - of three members belonging to the Talwar tribe.

No.S.18/26065-C. Dated the 12th May 1947.

In continuation of this Department letter No.S.18/26065-C, dated the 15th April 1947, I am to state that Government has decided that the fines recovered from Messrs.Fakira Hanmappa Chavadakkanwar and Muka alias Fakirappa, who were convicted by the Honorary Magistrate, Ranebennur, should be refunded to them. I am therefore to request you to take steps to repay the sum of Rs.50/- recovered from each of the two persons.

2. The amount of refunds in question will be met from the supplementary demand that will be placed before the Legislative Assembly in due course".

A.S.Bam,

Under Secretary to the Government of Bombay,
Home Department.

No.

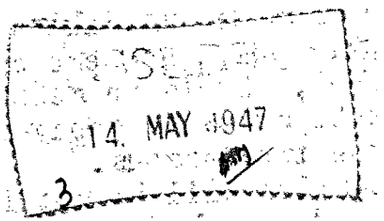
No.S.16/26065-C.
Home Department.
Bombay Castle, 12th May 1947.

Copies forwarded with compliments to:-

The Accountant General, Bombay, (through the Finance Department
The Finance Department.

o/c 13/5/47

for Under Secretary to the Government of Bombay,
Home Department.



Letter

To

The D.M., Dharwar

Subject: Criminal Tribes Act

Cancellation of registration under the —— of three members belonging to the Talwar tribe.

No. S.187/26065-c Dated 17th May 1947

The pp. received with your letter No. M.A.G.S.R. 986, dated 13.3.47 are returned herewith the receipt of which may please be acknowledged.

RECEIVED
19 MAY 1947
MH

17/5/47

for to the S.D.O

103

Subject: Criminal Tribes Act. Cancellation of registration under the - of three members belonging to the Talwar Tribe.

...

No.MAG.SR.986 Letter. Dharwar, 26/5/1947.

HOME DEPARTMENT
No. S.18
30-5-47
Serial No. 20572

The Under Secretary to Government
Home Department, Bombay

Ref: Your No.S.189/26965-C of 17/5/47.

I acknowledge receipt of 3 criminal cases sent under this office even number of 13/3/47.

Addl.Dist.Magistrate, Dharwar.

BB.

File

V. Urgent

HOME DEPARTMENT
File No. 5.38
3-7-47
Serial No. 6749

J.

Mr. T.R.Neswi M.L.A. had represented the cases of two persons of Hirekerur District Dharwar regarding removal Hazi restrictions.

H.M. wishes to know what has been done in this case.

Home Department.

Mr. T.R. Neswi, M.L.A., had represented the case of members of the Talwar tribe of Kudapali, Taluka Hirekerur, Distt. Dharwar, who were prosecuted for committing an offence under sec. 22(2) of Cr.Tribes Act (failure to report presence under Rule 16 of the C.T.Rules) Two of them were fined Rs/ 50/- each. In our

letter

letter dated 12-5-47, the D.M. has been asked to refund the fine recovered from them. The D.M. was also asked to withdraw the case pending against the third person, vide G.L.,H.D. No.S.18/26065-C, dated the 15-4-47.

As the offence committed by these members of the Talwar tribe (~~merely~~ burning of the Ratihalli bungalow), on account of which they were registered under the C.T. Act, was in connection with the C.D. Movement of 1942, the D.M., Dharwar, should have cancelled the registration of these persons under the C.T. Act, in accordance with the orders contained in G.L.No 57/5/12950, dated the 16-9-46. The D.M. may be asked to cancel the registration, if he has not done it. After issue of a letter to the D.M., the papers may be submitted to H.M..

4/7/47

4/7/47

U.S. 11/47

H.M. (after issue)

* issued

Rid a report from the D.M. & when this is complied with

Letter

To

The D.M. Dharwar

Subject: Criminal Tribes Act

Cancellation of registration under the —— of three members belonging to the Talwar tribe

No. S.187 26065-C dated 7th July '49

Reference correspondence ending with your letter No. MAT 6 SR. 986 dated 26.5.49, in regard to three persons of Kudapali, Taluka Hirekerur belonging to the Talwar tribe, who were registered under the Cr. T. Act, as they were involved in ~~the~~ burning the Ratha

bungalow. The registration under the C.T. Act of these three persons should be cancelled in accordance with orders in G.L., N.D. No. 57/57/12950-F dated 16.9.46 if this has not yet been done.

DC

Ref (1)

Ref to the G.O.S.

H.D.

RECD.
7. JUL. 1947
I MM

Ref (2)

Ref (with file)

Sxd

Letter

To

The D.M., Dharwar

Subject: Criminal Tribes Act

Cancellation of registration under the — of three members belonging to the Talwar tribe.

No. S.18/26065-C Dated 11th Aug '47

Pl. refer to this deptt. letter No. S.18/26065-C dated 7.7.47 and report to Govt. when action is taken as indicated therein.

RECEIVED
11 JUL 1947
I MH

11/7/47

to the S. of S.
H.D.

Exd
Secy
11/7

11/7/47
A.S. (write up)

Subject: Criminal Tribes Act cancellation of registration under the three members belonging to the Ladwar tribe.

No.PCT.CR.381 Letter. Dharwar, 10/7/1947.

HOME DEPARTMENT
File No. S.18/26065
16.7.47
Serial No. 22127

The Under Secretary to the Government of Bombay
Home Department.

Reference: Your No.S.18/26065-C of 7/7/1947.

The registration under the C.T.Act of the following three persons of Kudupali, taluka Hirekerur has already been cancelled in this office No.PCT.CR.381 of 27/6/47 and the copy thereof is also sent to D.S.P.Dharwar for further action.

1. Naika @ Fakirappa S/o Basappa.
2. Basappa Fakirappa.
3. Fakirappa Hanmappa
- all of Kudupali.

Addl.District Magistrate, Dharwar.

D.D.

Submitted w.r. to our letter to the DM., Dharwar dated 7.7.47

As no action is called for the pp. may be filed.

7/8/47

MGS

(8)

transferred

H.D.

These pp. may be transferred to the E & I.D.

(Thro' F.B.)

6/8/47

CR/7/8.

Ota.
8/8/47

EDUCATIONAL DEPARTMENT
File No. S 136.
11.8.47
Dy. No. 8231

8/11/8

Rec. to E. & I. Deptt. dated 8-8-47.